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March 7, 2023

VIA ECF

Hon. Ona T. Wang
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Courtroom 20D
New York, New York 10007

MEMO ENDORSED.

Re: *Moses, et al. v. Consolidated Edison Co. of New York, Inc., et al.,*
No. 18-cv-1200-ALC-OTW

Dear Judge Wang:

We represent Plaintiffs in the above captioned matter and write, with the agreement of Defendants, to respectfully request adjournment of the upcoming status conference that is set for Thursday, March 9, 2023. We request this adjournment because the parties are currently making good progress with respect to a schedule for the remaining discovery in this case, and also because Judge Carter has not yet issued his decision on the class certification motion in this action.

The parties have continued their communications concerning proposed deadlines, and modified the schedule slightly from deadlines previously discussed in filings with the Court. *E.g.*, ECF 669. First, Con Edison requests the following schedule for briefing of its up-coming summary judgment motion on joint employer status:

- Con Edison to file its motion for summary judgment on Plaintiffs' joint employer claims on or before May 1, 2023;
- Plaintiffs to file their opposition on or before June 1, 2023; and
- Con Edison to file its reply on or before June 22, 2023.

Plaintiffs do not oppose the above schedule, and the remaining Griffin Defendants similarly have no objection.

Plaintiffs and Con Edison have also agreed to the following discovery schedule, to which the remaining Griffin Defendants make no objection:

- Initial Document Requests and Interrogatories concerning Prevailing Wage Claims (and any other written discovery requests) have now been served on and before February 20, 2023 (subsequent requests and interrogatories may be served in the event that materials produced in response to such written discovery requests reveal the need for further requests);
- Responses and objections to initial document requests and interrogatories (and any other written discovery requests) shall be served within 30 calendar days of the above described written discovery requests;
- Depositions of 30(b)(6) witness shall be completed on or before April 28, 2023;
- Expert witnesses to be identified on or before April 24, 2023;
- Depositions of Expert witnesses and expert discovery to be completed on or before August 31, 2023
- Fact discovery to be completed on or before August 1, 2023.

We thank the Court for its consideration in this matter.

Application **GRANTED**. The status conference scheduled for March 9, 2023 is adjourned.

The proposed briefing schedule for Con Edison's motion for summary judgment is **GRANTED**. The joint proposed discovery schedule is **GRANTED**.

Sincerely,

/s/ *Kate McGuire*

Kate McGuire

The Clerk of Court is respectfully directed to close ECF 674.

SO ORDERED.



U.S.M.J. Ona T. Wang 3/8/23